UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/754,987	01/05/2001	Keith Girolamo Cascio	RSW920000088US1	5433

7590 11/09/2004	EXAMINER
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ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 11/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/754,987	CASCIO ET AL.
	Examiner	Art Unit	
	Kevin Bates	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _26 July 2004_.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-28_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

Response to Amendment

This Office Action is in response to a communication made on July 26, 2004.

The Terminal Disclaimer was received on July 26, 2004.

Claims 1 – 28 are pending in this application.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 – 28 are rejected under 35 U.S.C. 102(e) as being anticipated by

Milleker (6523042).

Regarding claims 1, 9, and 17, Milleker discloses a computer program product

for efficiently extracting data from a data stream (Column 1, lines 52 – 57), the computer

program product embodied on one or more computer-readable media and comprising:

computer-readable program code for defining <u>two or more data extraction rules</u> (Column

4, line 66 – Column 5, line 9), each of the rules comprising one or more rule

components (Column 5, lines 5 – 9); computer-readable program code   for defining one

or more output document templates for storing extracted data (Column 4, lines 56 – 60),

wherein each of the templates comprises one or more tags which are hierarchically

structured and wherein each template is to be associated with one or more of the data

extraction rules (Column 4, line 61 – Column 5, line 9, where the message can be XML

and thus include tags Column 3, line 27); computer-readable program code   for

associating at least one of the templates with at least one of the rules; computer-

readable program code for storing the rules, the templates, and the associations

(Column 4, lines 48 – 55); computer-readable program code for monitoring at least one

data stream for arrival of incoming data (Column 4, lines 27 – 30); computer-readable

program code for comparing the incoming data to selected ones of the stored rules until

detecting a matching rule (Column 4, lines 39 – 55); computer-readable program code

for extracting data from the incoming data, upon detecting the matching rule, according

to the matching rule; and computer-readable program code for storing the extracted

data in an extensible document which is created according to the tags and structure of a

selected one of the templates that is associated with the matching rule (Column 4, lines

61 – 65).

Regarding claims 2, 10, 18, Lection discloses that the computer-readable

program code for associating further comprises computer-readable program code   for

associating the rule components of a particular rule with the tags of a particular template

(Column 4, line 61 – Column 5, line 9, where the message can be XML and thus include

tags (Column 3, line 27).

Regarding claims 3, 11, and 19, Milleker discloses computer readable program

code for transforming the extracted data in the extensible document into another

notation (Column 3, lines 25 – 32).

Regarding claims 4, 12, and 20, Milleker discloses computer readable program code for transforming the extracted data in the extensible document into another format (Column 3, lines 25 – 32).

Regarding claims 6, 14, and 22, Milleker discloses that the components of selected ones of the rules specify textual patterns (Column 4, lines 61 – 65).

Regarding claims 7, 15, and 23, Milleker discloses that the components of selected ones of the rules specify data element and attribute patterns (Column 1, line 65 – Column 2, line 3).

Regarding claims 8, 16, and 24, Milleker discloses that the components of selected ones of the rules specify a combination of textual patterns and data element and attribute patterns (Column 1, line 65 – Column 2, line 3).

Regarding claim 25, Milleker discloses that the data stream is a legacy host stream containing one or more presentation spaces (Column 2, lines 24 – 26).

Regarding claim 26, Milleker discloses that the data stream is sent between peer applications (Column 3, lines 24 – 33)).

Regarding claim 27, Milleker discloses that the data stream contains one or more Extensible Markup Language ("XML ") documents (Column 3, lines 24 – 33).

Regarding claim 28, Milleker discloses that the data stream contains one or more Web pages (Column 3, lines 56 – 58).

Regarding claims 5, 13, and 21, Milleker discloses that <u>the components of the selected ones of the rules specify attribute patterns that comprise at least one of a color</u>

attribute, an input-inhibited attribute (Column 6, lines 15 – 20), and a reverse video
attribute.

Response to Arguments

Applicant's arguments filed July 26, 2004 have been fully considered but they are
not persuasive.

Regarding the arguments to the 102(e) rejection using Milleker:

Regarding claims 1, 9, and 17, the applicant argues that Milleker does not
disclose defining one or more output templates for storing extracted data, nor that these
templates store one or more tags which are hierarchically structured which forms an
extensible document. The examiner disagrees, the reference Milleker discloses map
files which define the transformation between data streams a legacy system and
hierarchical formats such as XML (Column 3, lines 25 – 30; lines 56 – 62). These map
files contain all the information needed need to format the attribute values of the system
from the legacy message format to the hierarchical format and vise versa, so the map
file contains the template of definitions that are to be followed as the data is being
converted. Because Milleker is using XML as the example of its hierarchical format,
that it inherently has tags defined as part of the template which describe and identify the
attribute data in an XML system (Column 4, lines 26 – 28) which creates the extensible
document, which is also shown by the example of using XML as the hierarchical format.

Regarding claims 2, 10, and 18, as seen in the argument to claims 1, 9, and 17,
Milleker discloses an XML format, which inherently has tags and rules to define the
transformation to and from XML.

Regarding claims 6, 14, and 22, the applicant argues that the reference does not disclose "components of selected ones of the rules specify textual patterns." As seen in the rejection and further seen in Figure 3, where when converting from a legacy system to a hierarchical format, patterns and attributes must be determined so they can successfully be transformed into the new format.

Regarding claims 7, 15, and 23, the applicant argues that the reference does not disclose data elements and attribute patterns. As seen in the rejection and further seen in Column 5, lines 59 – 64; the system is designed to look for and transform both data elements and attribute patterns.

Regarding claims 5, 13, and 21, the applicant argues that the reference does not disclose at least one of a color attribute, an input-inhibited attribute, and a reverse video attribute. As seen in the new rejection, and the argument to claims 7, 15, and 23, the reference does disclose identifying and transforming data elements and attribute patterns; and that at least one of a color attribute, an input-inhibited attribute, and a reverse video attribute (Column 6, lines 15 – 20).

Prior Art

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No. 6604100 issued to Fernandez, because it discloses using templates for turning messages into XML format.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Bates whose telephone number is (571) 272-3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

KB

KB
November 2, 2004

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER